

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

H. THOMAS MORAN II, Receiver of :
the Assets of LifeTime Capital, Inc. and
Certain Affiliated Persons and Entities, :

Case No. 3:05cv0071

Plaintiff, :

vs. : District Judge Thomas M. Rose
Magistrate Judge Sharon L. Ovington

A/C FINANCIAL, INC, *et al.*, :

Defendants. :

DECISION AND ENTRY

This case is before the Court upon Plaintiff's Motion to Dismiss (Doc. #797), to which no remaining party has responded or opposed. In the absence of such opposition, a voluntary dismissal of this case without prejudice is warranted under Fed. R. Civ. P. 41(a)(2). The Court therefore **ORDERS**:

1. Plaintiff's Motion to Dismiss (Doc. #797) is GRANTED;
2. The case is DISMISSED without prejudice; and
3. The case is terminated on the docket of this Court.

March 12, 2008

s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge